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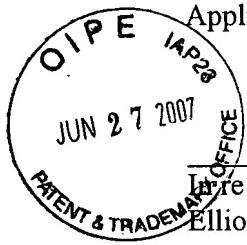
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	Filing Date	January 4, 2001
	First Named Inventor	Elliot Cooperstone
	Art Unit	3629
	Examiner Name	J. P. Ouellette
	Attorney Docket Number	37202/107001; 990015

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	OSHA · LIANG LLP		
Signature			
Printed name	Robert P. Lord		
Date	June 27, 2007	Reg. No.	46,479



Application No.: 09/755,934

Docket No.: 37202/107001; 990015

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Patent Application of:  
Elliot Cooperstone et al.

Confirmation No.: 3860

Application No.: 09/755,934

Art Unit: 3629

Filed: January 4, 2001

Examiner: J. Ouellette

For: **METHOD AND SYSTEM FOR REMOTELY  
MANAGING BUSINESS AND EMPLOYEE  
ADMINISTRATION FUNCTIONS**

**RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

MS Appeal Brief - PATENTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir —

This communication is in response to the Notification of Non-Compliant Appeal Brief under 37 CFR §41.37 dated June 4, 2007.

Enclosed herewith is the corrected version of the Appeal Brief filed on April 23, 2007. This corrected version of the Appeal Brief identifies the independent claims under appeal in the Summary of the Claimed Subject Matter. In addition, a concise explanation of the subject matter defined in the independent claims is provided by mapping the independent claims to the specification by page and line number, and to the drawings by reference characters. *See*, pages 2-11 of Amended Appeal Brief.

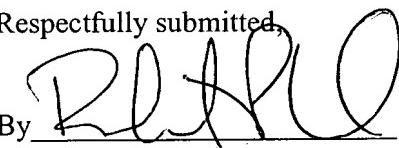
Applicant believes the enclosed amended appeal brief is fully responsive to all outstanding issues. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below.

Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number: 37202/107001; 990015).

Dated: June 27, 2007

Respectfully submitted,

By



Robert P. Lord

Registration No.: 46,479

OSHA · LIANG LLP

1221 McKinney St., Suite 2800

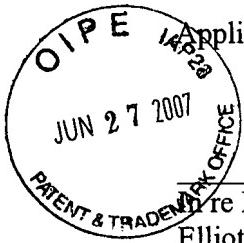
Houston, Texas 77010

(713) 228-8600

(713) 228-8778 (Fax)

Attorney for Applicant

Enclosures — Amended Appeal Brief



Application No.: 09/755,934

Docket No.: 37202/107001; 990015

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Pre Patent Application of:  
Elliot Cooperstone et al.

Confirmation No.: 3860

Application No.: 09/755,934

Art Unit: 3629

Filed: January 4, 2001

Examiner: J. Ouellette

For: **METHOD AND SYSTEM FOR REMOTELY  
MANAGING BUSINESS AND EMPLOYEE  
ADMINISTRATION FUNCTIONS**

**AMENDED APPEAL BRIEF**

MS Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Real Party in Interest**

The present patent application is owned by Intuit Inc., of Mountain View, California.

**Related Appeals and Interferences**

There are no known related appeals or interferences that may directly affect, be directly affected by, or have a bearing on the Board's decision in the pending appeal.

**Status of Claims**

Claims 9-13, 17-29, 31-36, 38-42 and 51-58 stand finally rejected.

Claims 1-8 and 43-50 are withdrawn.

Claims 14-16, 30, and 37 are cancelled.

The claims on appeal are set forth in the Claims appendix attached hereto.

**Status of Amendments**

The last amendment to the claims was Amendment C, filed on August 11, 2005. The appellants have not amended the claims since the final rejection.

**Summary of Claimed Subject Matter**

In one aspect, the claimed invention provides methods and systems by which human resource and employee benefits products 59, 55-57 (in FIG. 3) are integrated and provided to a requester, such as a business, where the various products come from different sources and formats of data, such as different providers 54. (*See, e.g.*, p. 16, line 5 to p. 17, line 3). The different sources of data arise from the providers 54 having, for example, different computer systems (with different data access protocols and interfaces), databases, products lines, as well as different regulatory jurisdictions. (*See e.g.*, p. 16, line 19-21, and FIG. 8, 812). This aspect of the invention thus allows a requestor to obtain information about an integrated set of products through a single mechanism (*e.g.* FIG. 3, system 10) provided by the invention, rather than having to separately communicate with each provider. (*See, e.g.*, p. 17, lines 3-7).

In one embodiment, the requester requests information on various ones of the products 59, 55-57 (in FIG. 3), which request can be for products from various different providers 54 (and thus different sources of data). The method and system determine a set of tasks (*see, e.g.*, p. 29, lines 18-20, line 3, and FIG. 7a, 122 et. seq.) to perform on the various products, for example to obtain price and coverage information, where the operations are to be performed using a same set of data, for example, data describing the requestor such as company location, number of employees, industry type, and so forth (*See, e.g.*, FIG. 3, shared data 51). This same data is then formatted according to the different formatting of the different data sources. (*See, e.g.*, p. 30, lines 9-15). The method and system further determine (*see, e.g.*, p. 30, lines 1-3, FIG. 7b, 124)

which of the tasks are critical and create a sorted list of such critical tasks; these critical tasks are executed synchronously in order of priority. (*See, e.g.*, p. 30, lines 3-8, FIG. 7b, 122-128). The method and system also determine which of the tasks are not critical and execute these tasks asynchronously. (*See, e.g.*, p. 31, lines 1-12, FIG. 7b, 144-160).

In another aspect, the claimed invention provides an integrated package of human resource and employee benefits products selected from various third party service providers can be provided to a client at a binding price, thereby eliminating the need for the client to separately negotiate a price for each product with each provider. (*See, e.g.*, p. 11, lines 9-14; p. 21, lines 6-10).

In one embodiment of this aspect, a system includes an integration module 52 that creates an integrated package 74 of human resource and employee benefits products 59, 55-57 (in FIG. 3) selected from a number of third party service providers. For example, the integrated package can include a retirement plan 55a, group health insurance 56s, group life insurance 56b, tax filing services 55c, and payroll services 59g, each provided by a different third party service provider. A pricing module 59H is adapted to determine a price quotation 75 for the integrated package. The price quotation 75 is binding on each of the third party service providers whose products are included in the package. (*See, e.g.*, p. 21, lines 6-10 and FIG. 3). An interface module 68 is adapted to offer the integrated package 74 to the client with the price quotations. These features eliminate the need for the client to negotiate with the potentially many different providers, first by providing the client with a single price 75 for the integrated package 74, and second by making the price quotation binding on the third party service providers. Thus the client knows with certainty what products are included and at what price, even though the products can be very different in type (*e.g.*, health insurance vs. payroll) and from different providers (*e.g.*, insurance company vs. a payroll processor).

In another aspect, the claimed invention includes a computer network server 69a having communications interface 40 that receives requests from users to perform operations on the products 59, 55-57 of third party human resource and benefits providers, which products are disposed on these third parties' networks (*see, e.g.*, p. 16, lines 11-17; p. 26, line 18 to p. 27, line 5 and FIGS. 3 and 10), and a processor 32 that performs the data operations in an integrated fashion by formatting the certain data (*e.g.*, employee or employer data) to the requirements of the third product products (*e.g.*, the requirements of a life insurance provider as compared to the different format requirement of payroll provider). (*See, e.g.*, p. 16, line 21 to p. 17, line 5; p. 30, lines 9-15 and FIG. 3). The server is further adapted so that the user, when making the request and receiving the results of the data operations views all of the plurality of products from the various third party providers as residing on a single computing device such as a host network computer server system. (*See, e.g.*, FIGS. 5-6, and p. 16, lines 18-21).

In yet another aspect of the claimed invention, a method of operating a human resources management system includes detecting (1602 in FIG. 16) triggering events associated with employee data, determining (1604 in FIG. 16) data records that are affected by the triggering event, eliciting (1606 in FIG. 16) additional new employee information if needed to correctly change the affected data, and updating (1608 in FIG. 16) the affected records. (*See, e.g.*, p. 45, line to p. 47, line 2). These features allow for automatic detecting of changes in employee data so as to ensure that necessary changes are made. This reduces the need for a human operator such as a human resources manager to know which records would be impacted by a change in employee data, and then go make such change on his own. As a result, the method ensures that the system stays updated and correct.

A final aspect of the claimed invention is a user interface (*See, e.g.*, FIG. 6) for a computer program that displays information pertaining to an employee about various

employment administration products 59, 55-57 (such as human resources and benefits products). The user interface comprises links 96 to third party provider product that is included in a package of products, a display area that displays a recommendation of a product based on data indicating the employee's a particular time period in the employee's life that would include a life event for the employee, and then a second area that displays a reminder for the product. (*See, e.g., p. 25, line to page 26, line 5, and FIG. 6.*)

Turning to the claims, independent claim 9 relates to a method for integrating a plurality of human resource and employee benefit products. The method involves (i) receiving a request from a requestor to conduct an operation on the data of the plurality of products, (ii) conducting the operation on a shared data source, (iii) initiating a plurality of tasks to perform the operation for each of the plurality of products, wherein same data regarding the operation to be performed is formatted to accommodate different formatting of each of the data source belonging to the plurality of products, (iv) determining which of the plurality of tasks are critical and creating a sorted first list of all the tasks initiated to perform the operation on the plurality of products that are determined to be critical, (v) synchronously executing the tasks from the first list, wherein one the task is being executed at a time in order of priority, with a subsequent task waiting for a previous task to complete, and (vi) determining which of the plurality of tasks are not critical and creating a second list of all the tasks initiated to perform the operation on the plurality of the products that are determined to be non-critical, and (vii) executing the tasks from the second list in asynchronous order. A discussion of the method recited in independent claim 9 may be found, for example, at page 29, line 3 to page 31, line 9 of the Specification.

Further, independent claim 17 relates to a network site comprising a computer server that provides display pages to requesting client machines. The network site includes (i) a first set of

human resource and employee benefit products installed at the computer server and accessible by a client machine, and (ii) one or more network links from the computer server to computer servers of corresponding third party providers, each of whom offers one or more human resource and employee benefit products that are accessible from a client machine by the network link, therein comprising a second set of human resource and employee benefits products, wherein the computer server receives requests from client users for services from the first and second set of human resource and the employee benefit products, and responds by determining the appropriate application to process the client user request, therein comprising an integrated benefits package comprising one or more applications from the first and second sets of human resource and employee benefits products, wherein the integrated benefits package is accessible by the client machines, wherein the third party providers are bound to a determined price of their applications included in the integrated benefits package and defined period of time for maintaining the links from the computer server. A discussion of the network site recited in independent claim 17 may be found, for example, at page 16, line 18 to page 17, line 7; page 18, line 3 to page 19, line 10; and page 19, line 19 to page 20, line 5 of the Specification, and at the Abstract.

Further, independent claim 21 relates to a network computer server that integrates a plurality of human resource and employee benefit products. The server includes (i) a communications interface through which the server receives a request to conduct an operation on the data of the plurality of products, and (ii) a processor that conducts the operation on data retrieved from a shared data source and initiates a plurality of tasks to perform the operation for each of the plurality of products; wherein some data regarding the operation to be performed is formatted to accommodate different formatting of each of the data source belonging to the plurality of products, and wherein the processor determines which of the plurality of tasks are

critical and creates a sorted first list of all the tasks initiated to perform the operation on the plurality of products that are determined to be critical, then synchronously executes the tasks from the first list, wherein one of the tasks is executed at a time in order of priority, with a subsequent task waiting for a previous task to complete, and then the processor determines which of the plurality of tasks are not critical and creates a second list of all the tasks initiated to perform the operation on the plurality of the products that are determined to be non-critical, and then executes the tasks from the second list in asynchronous order. A discussion of the server recited in independent claim 21 may be found, for example, at page 29, line 3 to page 31, line 9 of the Specification.

Further, independent claim 26 relates to a network computer server that manages and administers a plurality of human resource and employee benefit products on a network. The server includes (i) a communications interface through which the server receives a user request to perform data operations on data sources of the plurality of products, and (ii) a processor that conducts the data operations on the data sources of each of the plurality of products; wherein the processor determines triggering events that require actions on the data sources of each of the plurality of products and performs the actions in an integrated fashion according to a format of each of the plurality of products, wherein the user views all of the plurality of products as residing on a single computing device. A discussion of the server recited in independent claim 26 may be found, for example, at page 45, line 13 to page 48, line 4 of the Specification.

Further, independent claim 29 relates to a method of processing operations in an integrated human resource management system. The method includes (i) detecting a triggering event that is associated with one or more data records in an employee information data store of the human resource management system and that comprises new employee information to be

added to the associated data records to produce an updated data record, (ii) determining the data records in the data store that are affected by the detected triggering event, (iii) determining if additional new employee information is needed to correctly change the affected data records and, if so, then eliciting the additional new employee information from a system user (iv) updating the determined affected data records in the data store with the new employee information such that the updated data records are immediately available to computer network processes of the human resource management system, (v) responding to a request from one of the computer network processes by retrieving the updated data records from the data store, (vi) converting the retrieved updated data records into a data format that is compatible with the requesting network process, and (vii) providing the converted data records to the requesting network process. A discussion of the method recited in independent claim 29 may be found, for example, at page 31, line 14 to page 32, line 2 and page 45, line 13 to page 48, line 4 of the Specification.

Further, independent claim 36 relates to a network computer server that provides processing in response to user requests in an integrated human resource management system. The server includes (i) a communications interface through which the server receives a user request; and (ii) a processor that responds to the user request by detecting a triggering event that is associated with one or more data records in an employee information data store of the human resource management system and that comprises new employee information to be added to the associated data records to produce an updated data record, and then determines the data records that are affected by the detected triggering event, determines if additional new employee information is needed to correctly change the affected data records and, if so, elicits the additional new employee information from a system user, updates the affected data records in

the data store with the new employee information such that it is immediately available to computer network processes of the human resource management system, responds to a request from one of the computer network processes by retrieving the updated data records from the data store, converts the retrieved updated data records into a data format that is compatible with the requesting network process, and provides the converted data records to the requesting network process. A discussion of the server recited in independent claim 36 may be found, for example, at page 31, line 14 to page 32, line 29 and page 45, line 13 to page 48, line 4 of the Specification.

Further, independent claim 51 relates to a user interface of a computer program for displaying information directed to a specific employee. The user interface includes (i) at least one link associated with the third party provider product of the package, (ii) a first display area for displaying at least one recommendation relating to the third party provider product of the package responsive to receiving data indicating entry into a time period for a life event relating to the specific employee, and (iii) a second display area, separated from the first display area by a boundary, for displaying at least one reminder for the third party provider product of the package. A discussion of the user interface recited in independent claim 51 may be found, for example, at page 25, lines 5-12; page 25, line 20 to page 26, line 5; and page 32, lines 1 and 2 of the Specification.

Further, independent claim 52 relates to a method of providing human resource and employee benefit products to a client. The method includes (i) creating by an agent an integrated package of human resource and employee benefit products selected from a plurality of human resource and employee benefit products offered by a plurality of third-party service providers, the integrated package including a human resource and employee benefit product offered by at least one of the third-party service providers, wherein the agent is independent of

the client and the third-party service providers, (ii) determining by the agent a price quotation for the integrated package, the price quotation being binding on each third-party service provider providing the products in the integrated package, and (iii) offering by the agent the integrated package at the determined price quotation to the client via a computer network. A discussion of the method recited in independent claim 52 may be found, for example, at page 35, line 20 to page 36, line 11 of the Specification.

Further, independent claim 55 relates to a system for providing human resource and employee benefit products to a client. The system includes (i) an integration module adapted to create an integrated package of human resource and employee benefit products selected from a plurality of human resource and employee benefit products offered by a plurality of third-party service providers, the integrated package including a human resource and employee benefit product offered by at least one of the third-party service providers, (ii) a pricing module adapted to determine a price quotation for the created integrated package, the price quotation being binding on each third-party service provider providing the products in the integrated package, and (iii) an interface module adapted to offer the integrated package at the determined price quotation to the client via a computer network. A discussion of the system recited in independent claim 55 may be found, for example, at page 16, line 18 to page 17, line 7; page 19, line 8 to page 20, line 5; page 20, line 20 to page 21, line 3; and page 22, line 15 to page 23, line 2 of the Specification.

Further, independent claim 57 relates to a computer program product having a computer-readable medium having embodied program code for providing human resource and employee benefit products to a client. The computer program product includes (i) an integration module adapted to create an integrated package of human resource and employee benefit products

selected from a plurality of human resource and employee benefit products offered by a plurality of third-party service providers, the integrated package including a human resource and employee benefit product offered by at least one of the third-party service providers, (ii) a pricing module adapted to determine a price quotation for the created integrated package, the price quotation being binding on each third-party service provider providing the products in the integrated package, and (iii) an interface module adapted to offer the integrated package at the determined price quotation to the client via a computer network. A discussion of the computer program product recited in independent claim 57 may be found, for example, at page 16, line 18 to page 17, line 7; page 19, line 8 to page 20, line 5; page 20, line 20 to page 21, line 3; and page 22, line 15 to page 23, line 2 of the Specification.

**Grounds of Rejection to be Reviewed on Appeal**

Claims 9-13, 17-29, 31-36, 38-42, 51-58 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kahn et al. al (US 6,401,079).

**Argument**

The Examiner has failed to establish a prima facie case that Kahn discloses or suggests the limitations of claims 9-13, 17-29, 31-36, 38-42, 51-58. Claims 9, 17, 21, 26, 29, 36, 51, 52, 55, and 57 are independent claims.

Kahn discloses a web-based payroll administration system that uses an “automated centralized back-end” to provide the various payroll related functions (5:1-12). Kahn’s centralized system stores all of the relevant payroll related data in a centralized database, including data for employers, employees, tax authorities, banks, and so forth (11:50-15:32, 20:1-16). Kahn’s system then executes the payroll services-including payroll deductions for

insurances, retirement, and so forth, for each employer, according to the employer's specific payroll and benefits plans.

Of particular significance is that it is up to the individual employer to input the data describing all of that employer's payroll and benefits information. Kahn specifically describes how the employer must manually enter all of the details about the employer's business, employees, payroll, benefits, taxes, and so forth (27:31-47:11). Kahn then uses this information to process the employer's payroll (47:13-52:34). In summary, Kahn provides a system which enables an employer to "off load" all of its payroll operations to centralized back-end payroll service.

I. Claims 9-13, 21-25: Kahn Does Not Disclose or Suggest Ordering Critical Tasks and Synchronous Execution Thereof.

Claim 9 recites "*a method of integrating a plurality of human resource and employee benefit products*", including "*initiating a plurality of tasks to perform the operation for each of the plurality of products, wherein same data regarding the operation to be performed is formatted to accommodate different formatting of each of the data source belonging to the plurality of products; determining which of the plurality of tasks are critical and creating a sorted first list of all the tasks initiated to perform the operation on the plurality of products that are determined to be critical; synchronously executing the tasks from the first list, wherein one the task is being executed at a time in order of priority, with a subsequent task waiting for a previous task to complete; determining which of the plurality of tasks are not critical and creating a second list of all the tasks initiated to perform the operation on the plurality of the products that are determined to be non-critical; and executing the tasks from the second list in asynchronous order.*"

Claim 21 similarly recites a system with a processor that determines which tasks are critical or non-critical task, and then separately executes the critical tasks and the non-critical tasks.

By determining which of the plurality of tasks are critical and which of the plurality of tasks are not critical, the claimed method and system is able to prioritize the various tasks and to execute the tasks on each product in an organized fashion in accordance with each task's relative importance. As a result, an operation may be performed on the various products more effectively, more fault-tolerant, and with less overhead on system resources.

First, Kahn does not disclose or suggest “*determining which of the plurality of tasks are critical and creating a sorted first list of all the tasks initiated to perform the operation on the plurality of products that are determined to be critical.*” By contrast, Kahn discloses that the employer must go through a very lengthy and drawn out process of manually entering the relevant data for the employer’s business. At best the order of these steps appears to be suggested by Kahn’s user interface, shown, for example in FIG. 6(a), which provides a sequence of tabs for “Company Information,” “Employees”, “Contractors” and “Timesheet” or “Payroll (also FIG. 12(a)) and within each of these tabs, particular sequence of data entries to be made (e.g., the left hand column under “Company). However, given the interactive design Kahn’s user interface (with the tabs and windows) it is clear that the employer can enter the data in various different orders at the employer’s discretion. For example, the employer can first enter company information, then payroll information, and then contractor information. Assuming *arguendo*, that the employer entering the various types of data constitutes “tasks”, it is clear that these tasks are ordered and processed without any reference to the criticality of such tasks. Where the Examiner asserts that Kahn discloses prioritization (e.g., 12:43-57), Kahn merely

discloses “workflow sequence data” and “load balancing,” neither of which have anything to do with task criticality determination.

Second, Kahn does not disclose or suggest “*synchronously executing the tasks from the first list, wherein one the task is being executed at a time in order of priority, with a subsequent task waiting for a previous task to complete*” As indicated above, Kahn allows the employer to add the information the system in an order selected by the employer, and thus does not disclose executing in an order of priority, with a subsequent task waiting for a previous task to complete. Again, there is nothing in Kahn that prevents a user from first entering contractor information (see FIG. 12(a)), and then entering company information.

Third, Kahn does not disclose or suggest “*determining which of the plurality of tasks are not critical and creating a second list of all the tasks initiated to perform the operation on the plurality of the products that are determined to be non-critical*” and then “*executing the tasks from the second list in asynchronous order*”. Given the foregoing, it becomes clear that Kahn does not determine which tasks are not critical, say entering company “holidays”, and then executing those asynchronously.

In summary, Kahn does not disclose or suggest the features of claims 9-13 and 21-25.

## II. Claims 17-20, 52-58 Kahn Does Not Disclose or Suggest Linking to Third Party Providers and Providing Integrated Packages with Binding Price Quotation

Claim 17 recites a network site with “*one or more network links from the computer server to computer servers of corresponding third party providers, each of whom offers one or more human resource and employee benefit products . . . comprising a second set of human resource and employee benefits products.*” Claim 17 also recites that the computer server determines the appropriate application comprising “*an integrated benefits package comprising*

*one or more applications from the first and second sets of human resource and employee benefits products.” Claim 17 further recites that “the third party providers are bound to a determined price of their applications included in the integrated benefits package.”*

Claim 52 recites a method including “*creating by an agent an integrated package of human resource and employee benefit products selected from a plurality of human resource and employee benefit products offered by a plurality of third-party service providers*” and “*determining by the agent a price quotation for the integrated package, the price quotation being binding on each third-party service provider providing the products in the integrated package*”. Claims 55 and 57 respectively recite a system and computer program product that include modules with similar limitations.

By offering an integrated benefits package comprising both internal human resource and employee benefit products and third-party provided products, the network site is able to offer users a benefits package that does not require the users to deal directly with individual third party providers. Furthermore, by binding the third party providers to a determined price of their applications in the integrated benefits package, the network site is able to provide a price quotation for the integrated benefits package to the users. As a result, the users view the integrated benefits package as offered by a single source.

First, Kahn does not disclose or suggest “*one or more network links from the computer server to computer servers of corresponding third party providers, each of whom offers one or more human resource and employee benefit products.*” This feature allows the claimed computer server to “*receive[] requests from client users for services from the first and second set of human resource and the employee benefit products, and respond[] by determining the appropriate application to process the client user request, therein comprising an integrated benefits package comprising one or more applications from the first and second sets of human*

*resource and employee benefits products*" since the computer server uses the links to programmatically access the third party providers' computer servers and determine the integrated benefits packages.

Contrary to the Examiner's assertion, Kahn at (52:39-42) teaches that the employer stores copies of forms from the third party providers, and its employees access the forms from the employer's system and fill them out: "[t]he system includes electronic copies of forms of third-party payroll systems . . . in order to enable an employer . . . to populate system databases with the employer's information." Thus, Kahn teaches simply storing all of the benefit information on the employer's system (Fig. 4(b), 23:1-56). While Kahn has the employer's system include "links to providers' web sites." (52:51-53), this still requires the employees to deal directly with individual third party providers in order to obtain their human resource and employee benefit products. Kahn does not disclose or suggest a computer server that programmatically accesses the third party providers in response to a client (e.g., an employee's computer) request for service and then determines the appropriate integrated package of services.

Further, Kahn also fails to teach or suggest that a network site binds third party providers to a determined price of their applications in the integrated benefits package. Kahn merely discloses providing the information for custom rate tables for health insurance plans offered by third party providers (23:40-45). Kahn does not bind such third party providers to a price quoted to its users. As a result, each user in Kahn appears to have to deal directly with any third party provider to obtain a negotiated price. This would hardly be desirable for the individual employers or employees.

III. Claims 26-28: Kahn Does Not Disclose or Suggest Integrated Actions Across Third Party Sites or Formatting Products Accordingly

Claim 26 recites a “*network computer server that manages and administers a plurality of human resource and employee benefit products . . . being implemented on a plurality of third party network computing devices,*” and that the “*processor performs the actions in an integrated fashion according to a format of each of the plurality of products.*” By managing and administering a plurality of products being implemented on a plurality of third party network computing devices, the network computer server is able to provide users an integrated system that does not require the users to deal directly with individual third party providers. As a result, the users can use a single source to manage and administer a plurality of third party products which themselves are *implemented on plurality of third party network computing devices.*”

In contrast, Kahn’s payroll system stores all of the benefit data internally (23:1-57), or merely provides links to third party web sites for its users to access further information regarding third party products (52:51-53). As a result, Kahn’s users must access the links and deal directly with third party providers. Further, linking from the employer’s website to a third party site does not “seamlessly integrate” the underlying functionality and data of the two websites, and thus does not inherently allow for operating on differently formatted products. As those of skill in the art know full well, having the user click from one web site to another, often results in a loss of data (which can be lost or corrupted between websites), a significant change in “look and feel” (since distinct providers will surely brand their sites distinctly) which can be confusing to a user, and increases the likelihood of a network problem, loss of connectivity, or the like. Therefore, since Kahn does not perform actions on third party products implemented on a plurality of third party network computing devices, Kahn does not disclose or suggest that its system accommodates different formatting of each third party data source.

IV. Claims 29-42: Kahn Does Not Disclose or Suggest the Use of Triggering Events

Claim 29 recites “*detecting a triggering event that is associated with one or more data records in an employee information data store*”, “*determining the data records in the data store that are affected by the detected triggering event*”, “*determining if additional new employee information is needed to correctly change the affected data records and, if so, then eliciting the additional new employee information from a system use*”, “*converting the retrieved updated data records into a data format that is compatible with the requesting network process*” and “*providing the converted data records to the requesting network process.*” Claim 36 recites a computer server with similar functionality.

Detecting triggering events ensures that employee data is updated in a logical and timely fashion, without having to rely on the employer to be aware of the need for the update. This is desirable because in any company there are frequent changes in employee data that can generate the need to have other data updated. Something as simple as a change of address may require numerous other records to be updated (e.g., health benefits, insurance etc.). In the absence of a triggering mechanism, the employer would typically depend on a highly skilled and knowledgeable administrator to know which records would need to be updated. The claimed invention does not depend on an employer’s staff to have such detailed knowledge, but instead detects the event and elicits the information as needed.

Further, converting the data records into a format that is compatible with the requesting network process allows for centrally managing data records for various computer network processes. As a result, users of the integrated human resource management system does not need to deal directly with each of the computer network processes and can manage different computer network processes at a single management system.

First, the Examiner expressly admits that Kahn does not disclose or suggest the claimed features of detecting the triggering events, determine the affected data, and eliciting the new information. The purported motivation that supposedly suggests the modification of Kahn is merely “providing a method of integrated a plurality of human resources and employee benefit products” with “increase[d] system efficiency.” The former is merely a gloss of the preamble of claim 9, and the latter is the favorite catch-all of “increased efficiency”. There are untold numbers of changes that could be made to Kahn that would increase efficiency, from using distributed RAID servers for the database, to implementing the Kahn’s site using JavaScript and Ajax, to providing touchscreens—there is simply nothing in vague declaration of “increased efficiency” that suggests the particular claimed features of detecting the triggering events, determining the effected data, and eliciting the new information.

Further, as discussed, Kahn only allows a user access to a third party web site. That is, the system of Kahn does not provide management functions for products provided by third parties. Therefore, since Kahn does not allow a user to update data records of third party products, Kahn does not disclose “*converting the retrieved updated data records into a data format that is compatible with the requesting network process*” and “*providing the converted data records to the requesting network process*.<sup>19</sup>”

#### V. Claim 51: Kahn Does Not Disclose or Suggest Recommendations and Reminders

Claim 51 recites “*a first display area for displaying at least one recommendation relating to the third party provider product of the package...responsive to receiving data indicating entry into a time period for a life event relating to the specific employee*” and “*a second display area . . . for displaying at least one reminder for the third party provider product of the package.*” By displaying a recommendation and reminder to the employee for the third

party provider product of the package, the user interface of claim 51 is able to timely inform the specific employee what actions need to be taken with respect to the third party provider product in the integrated package. The recommendation is based data that indicates a period of time for a life event of the employee, such as nearing retirement, or any other age or life status event. Kahn merely discloses that the employer's system includes "links to the providers' web sites." (52:51-53). This does not disclose or suggest a user interface that displays a recommendation, specific to the employee and relating to a third party provider product in response to receiving data indicating entry into a time period for a life event. Nor does it suggest displaying a reminder for the third party provider product. The mere presence of a link does not itself constitute a specific recommendation based on life event data, let alone a reminder, since there may be links to any number of different providers, some of whom provide products which may or may not be suitable for a given employer or employee. For example, a link to family health insurance provider would not be appropriate for an employee without children.

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Respectfully submitted,

By 

Robert P. Lord  
Registration No.: 46,479  
OSHA · LIANG LLP  
1221 McKinney St., Suite 2800  
Houston, Texas 77010  
(713) 228-8600  
(713) 228-8778 (Fax)  
Attorney for Applicant

Appendices — Claims Appendix; Evidence Appendix; and Related Proceedings Appendix

Claims Appendix: Claims Involved in Appeal

9. A method of integrating a plurality of human resource and employee benefit products, some of the products comprising a source of data, wherein at least two of the products format the sources of data differently, the method comprising:
  - receiving a request from a requestor to conduct an operation on the data of the plurality of products;
  - conducting the operation on a shared data source;
  - initiating a plurality of tasks to perform the operation for each of the plurality of products, wherein same data regarding the operation to be performed is formatted to accommodate different formatting of each of the data source belonging to the plurality of products;
  - determining which of the plurality of tasks are critical and creating a sorted first list of all the tasks initiated to perform the operation on the plurality of products that are determined to be critical;
  - synchronously executing the tasks from the first list, wherein one the task is being executed at a time in order of priority, with a subsequent task waiting for a previous task to complete;
  - determining which of the plurality of tasks are not critical and creating a second list of all the tasks initiated to perform the operation on the plurality of the products that are determined to be non-critical; and executing the tasks from the second list in asynchronous order.

10. The method of claim 9, further comprising initiating security lookup to determine whether the request to conduct the operation is authorized and whether all of the plurality of products are available to the requestor.
  11. The method of claim 10, wherein if any one of the synchronously executed tasks is not successfully completed all the synchronously executed tasks are rolled back.
  12. The method of claim 11, wherein the tasks from the second list are executed by queuing and scheduling execution according to requirements of the products that are determined to be non-critical and executing the tasks at a scheduled time.
  13. The method of claim 11, wherein the request to conduct the operation on the data of the plurality of products is issued by a triggering event, the triggering event comprising one or more events from among events in lives of employees, calendar events, and pre-determined events.
17. A network site comprising a computer server that provides display pages to requesting client machines, the network site further comprising:
- a first set of human resource and employee benefit products installed at the computer server and accessible by a client machine; and
  - one or more network links from the computer server to computer servers of corresponding third party providers, each of whom offers one or more human resource and employee benefit products that are accessible from a client machine by the network link, therein comprising a second set of human resource and employee benefits products;

wherein the computer server receives requests from client users for services from the first and second set of human resource and the employee benefit products, and responds by determining the appropriate application to process the client user request, therein comprising an integrated benefits package comprising one or more applications from the first and second sets of human resource and employee benefits products, wherein the integrated benefits package is accessible by the client machines, wherein the third party providers are bound to a determined price of their applications included in the integrated benefits package and defined period of time for maintaining the links from the computer server.

18. The network site of claim 17, wherein the second set of the human resource and the employee benefit products offered by the third party providers comprises one or more applications from the set consisting of: retirement plans including 401K; unemployment insurance; Worker's compensation insurance; group health insurance; dental insurance; group life insurance; disability insurance; employee assistance; tax filing services; and child care services.
19. The network site of claim 18, wherein the first set of the human resource and the employee benefit products comprise: payroll; human resource compliance services; employee development tools and advisory services; discount procurement; purchasing cards; and work share and e-mail.
20. The network site of claim 17, wherein the computer server provides a user interface to an authorized client user to modify the integrated benefits package, wherein the human resource and the employee benefit products from the first set and the human resource and the employee benefit products from the second set may be added and removed.

21. A network computer server that integrates a plurality of human resource and employee benefit products, the products operating on respective sources of data, wherein at least two of the products format the respective sources of data differently, the server comprising:
- a communications interface through which the server receives a request to conduct an operation on the data of the plurality of products;
- a processor that conducts the operation on data retrieved from a shared data source and initiates a plurality of tasks to perform the operation for each of the plurality of products; wherein some data regarding the operation to be performed is formatted to accommodate different formatting of each of the data source belonging to the plurality of products, and wherein the processor determines which of the plurality of tasks are critical and creates a sorted first list of all the tasks initiated to perform the operation on the plurality of products that are determined to be critical, then synchronously executes the tasks from the first list, wherein one of the tasks is executed at a time in order of priority, with a subsequent task waiting for a previous task to complete, and then the processor determines which of the plurality of tasks are not critical and creates a second list of all the tasks initiated to perform the operation on the plurality of the products that are determined to be non-critical, and then executes the tasks from the second list in asynchronous order.
22. The server of claim 21, wherein the processor further initiates security lookup process to determine whether the request to conduct the operation is authorized and whether all of the plurality of products are available to the requestor.

23. The server of claim 22, wherein if any one of the synchronously executed tasks is not successfully completed, then the processor causes all the synchronously executed tasks to be rolled back.
24. The server of claim 23, wherein the tasks from the second list are executed by the processor by queuing and scheduling execution according to requirements of the products that are determined to be non-critical and executing the tasks at a scheduled time.
25. The server of claim 23, wherein the request to conduct the operation on the data of the plurality of products is initiated by one or more triggering events, the triggering events comprising one or more events from among events in lives of employees, calendar events, and pre-determined events.
26. A network computer server that manages and administers a plurality of human resource and employee benefit products on a network, the plurality of products being implemented on a plurality of third party network computing devices, the server comprising:
  - a communications interface through which the server receives a user request to perform data operations on data sources of the plurality of products; and
  - a processor that conducts the data operations on the data sources of each of the plurality of products; wherein the processor determines triggering events that require actions on the data sources of each of the plurality of products and performs the actions in an integrated fashion according to a format of each of the plurality of products, wherein the user views all of the plurality of products as residing on a single computing device.
27. The server of claim 26, wherein the network is the Internet.

28. The server of claim 26, wherein the processor responds to a user request in accordance with a particular geographic location of the user residence.

29. A method of processing operations in an integrated human resource management system over a computer network, the method comprising:

detecting a triggering event that is associated with one or more data records in an employee information data store of the human resource management system and that comprises new employee information to be added to the associated data records to produce an updated data record;

determining the data records in the data store that are affected by the detected triggering event;

determining if additional new employee information is needed to correctly change the affected data records and, if so, then eliciting the additional new employee information from a system user;

updating the determined affected data records in the data store with the new employee information such that the updated data records are immediately available to computer network processes of the human resource management system; and

responding to a request from one of the computer network processes by retrieving the updated data records from the data store;

converting the retrieved updated data records into a data format that is compatible with the requesting network process; and

providing the converted data records to the requesting network process.

31. The method of claim 29, wherein the requesting network processes include applications that are installed at a host network server that receives the requests, and includes applications that

are installed at third party network servers that receive data requests from the host network server.

32. The method of claim 31, wherein the employee information data store includes data record storage at the host network server and data record storage located remotely from the host network server.

33. The method of claim 32, wherein the employee information data store includes data record storage at the third party network servers.

34. The method of claim 29, wherein the triggering event is an automatically generated event.

35. The method of claim 29, wherein the triggering event is an employee entered change to one of the data records.

36. A network computer server that provides processing in response to user requests in an integrated human resource management system, the server comprising:

a communications interface through which the server receives a user request; and  
a processor that responds to the user request by detecting a triggering event that is associated with one or more data records in an employee information data store of the human resource management system and that comprises new employee information to be added to the associated data records to produce an updated data record, and then determines the data records that are affected by the detected triggering event, determines if additional new employee information is needed to correctly change the affected data records and, if so, elicits the additional new employee information from a system user, updates the affected data records in the data store with the new employee information such that it is immediately

available to computer network processes of the human resource management system, responds to a request from one of the computer network processes by retrieving the updated data records from the data store, converts the retrieved updated data records into a data format that is compatible with the requesting network process, and provides the converted data records to the requesting network process.

38. The server of claim 36, wherein the requesting network processes include applications that are installed at a host network server that receives the requests, and include applications that are installed at third party network servers that receive data requests from the host network server.
39. The server of claim 36, wherein the employee information data store includes data record storage at the host network server and data record storage located remotely from the host network server.
40. The server of claim 39, wherein the employee information data store includes data record storage at the third party network servers.
41. The server of claim 36, wherein the triggering event is an automatically generated event.
42. The server of claim 36, wherein the triggering event is an employee entered change to one of the data records.
51. A user interface of a computer program for displaying information directed to a specific employee, the information relating to employee administration products of an integrated

package, the products including a third party provider product accessible over a network, comprising:

at least one link associated with the third party provider product of the package;

a first display area for displaying at least one recommendation relating to the third party provider product of the package responsive to receiving data indicating entry into a time period for a life event relating to the specific employee; and

a second display area, separated from the first display area by a boundary, for displaying at least one reminder for the third party provider product of the package.

52. A method of providing human resource and employee benefit products to a client, comprising:

creating by an agent an integrated package of human resource and employee benefit products selected from a plurality of human resource and employee benefit products offered by a plurality of third-party service providers, the integrated package including a human resource and employee benefit product offered by at least one of the third-party service providers, wherein the agent is independent of the client and the third-party service providers;

determining by the agent a price quotation for the integrated package, the price quotation being binding on each third-party service provider providing the products in the integrated package; and

offering by the agent the integrated package at the determined price quotation to the client via a computer network.

53. The method of claim 52, wherein the integrated package further includes a human resource and employee benefit product offered by the agent.

54. The method of claim 52, wherein creating the integrated package further comprises:
- customizing the integrated package according to an input received from the client via the network by adding or deleting a specified human resource and employee benefit product to or from the integrated package, the input describing a requirement for either a human resource product or an employee benefit product.
55. A system for providing human resource and employee benefit products to a client, comprising:
- an integration module adapted to create an integrated package of human resource and employee benefit products selected from a plurality of human resource and employee benefit products offered by a plurality of third-party service providers, the integrated package including a human resource and employee benefit product offered by at least one of the third-party service providers;
- a pricing module adapted to determine a price quotation for the created integrated package, the price quotation being binding on each third-party service provider providing the products in the integrated package; and
- an interface module adapted to offer the integrated package at the determined price quotation to the client via a computer network.
56. The system of claim 55, wherein the integration module is adapted to:
- customize the integrated package according to an input received from the client via the network by adding or deleting a specified human resource and employee benefit product to or from the integrated package, the input describing a requirement for either a human resource product or an employee benefit product.

57. A computer program product having a computer-readable medium having embodied program code for providing human resource and employee benefit products to a client, the program code comprising:

an integration module adapted to create an integrated package of human resource and employee benefit products selected from a plurality of human resource and employee benefit products offered by a plurality of third-party service providers, the integrated package including a human resource and employee benefit product offered by at least one of the third-party service providers;

a pricing module adapted to determine a price quotation for the created integrated package, the price quotation being binding on each third-party service provider providing the products in the integrated package; and

an interface module adapted to offer the integrated package at the determined price quotation to the client via a computer network.

58. The computer program product of claim 57, wherein the integration module is adapted to:

customize the integrated package according to an input received from the client via the network by adding or deleting a specified human resource and employee benefit product to or from the integrated package, the input describing a requirement for either a human resource product or an employee benefit product.

Evidence Appendix

U.S. Patent No. 6,401,079 issued to Kahn et al. (hereinafter “Kahn”) is evidence entered by the Examiner and relied upon by the Appellant in the Appeal. Kahn was first entered in the record by the Examiner, and first cited by the Examiner as prior art, in the non-final Office Action dated December 7, 2004. In both the non-final Office Action dated December 7, 2004, and the final Office Action dated November 2, 2005, the Examiner rejected the pending claims under 35 U.S.C. §103(a) as being obvious in view of Kahn. Included is a copy of Kahn.

Related Proceeding Appendix

NONE



Application No. (if known): 09/755,934

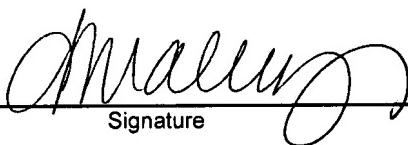
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